

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Shewchuk *et al.*

Confirmation No.: 7149

Serial No.: 10/543,046

Group Art Unit: 1656

Filing Date: July 21, 2005

Examiner: David J. Steadman

For: ERBB4 CO-CRYSTAL

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR §1.97.

Copies of the references are enclosed.
 Copies of the references were submitted in parent application ____.
(37 CFR §1.98(d))
 A copy of the International Search Report which issued on International Application No. _____ is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449, and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

A. The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 CFR §1.97(b).

OR

The Information Disclosure Statement submitted herewith is being filed before the mailing of a first Office Action or after the filing of a Request for Continued Examination under 37 CFR §1.114 (37 CFR §1.97(b)(4)).

B. The Information Disclosure Statement transmitted herewith is being filed after three months of the filing date of the above application or the date of entry into the national stage as set forth in §1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but before the mailing date of either:
(1) a final Office Action under §1.113 or
(2) a Notice of Allowance under §1.311, whichever occurs first.

[] Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

[X] Applicant elects the option to pay the fee set forth in 37 CFR §1.17(p) for submission of an Information Disclosure Statement under §1.97(c) (\$180.00).

C. [] The Information Disclosure Statement transmitted herewith is being filed after a final Office Action under §1.113, or a Notice of Allowance under §1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which issued on International Publication No. _____.

In accordance with the requirements of 37 CFR §1.97(d):

[] Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

OR

[] Applicant hereby petitions for the consideration of the accompanying Information Disclosure Statement. 37 CFR §1.97(d)(ii).

[] The petition fee set forth in §1.17(i)(1) (\$130.00) is submitted herewith.

[X] Please charge any required fees to Deposit Account No. 07-1392.

[] A duplicate copy of this paper is attached.

Respectfully submitted,

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